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P-2762-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): STEINER, Mitchell S., et al Examiner: Kerr, K.  
Serial No.: 09/449,817 Group Art Unit: 1652

Filed: November 26, 1999

Title: AN ISOLATED NUCELIC ACID ENCODING P-HYDE PROTEIN AND  
METHODS OF INDUCING SUSCEPTIBILITY TO INDUCTION OF  
CELL DEATH IN CANCER

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APR 20 2001

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

TECH CENTER 1600/2900

ATTN: LICENSING AND REVIEW

**COMMUNICATION IN RESPONSE TO  
REQUIREMENT FOR STATEMENT UNDER 152 OF THE ATOMIC ENERGY ACT**

Sir:

This Communication is filed in response to the Requirement For Statement Under 152 Of The Atomic Energy Act dated March 20, 2001 issued by the United States Patent and Trademark Office in connection with the above-identified Application. A copy of the Requirement is attached hereto.

A response to the Requirement is due thirty (30) days from the mailing date of the Requirement, namely March 20, 2001. Accordingly, this Communication is being timely filed.

In the Requirement, the Supervisory Applications Examiner, Special Laws Administration asserted that the subject matter of the above-identified Application is useful in the production or utilization of special nuclear material or atomic energy as recited in 42 U.S.C. 2182 DOE. The Examiner stated that Applicants are given thirty (30) days to file the required statement under 42 USC 2182.



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT  
P-2762-US1

TECH CENTER 1600/2900

APR 20 2001

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APPLICANTS: Mitchell S. Steiner, et al.  
SERIAL NO. : 09/449,817  
FILED : November 26, 1999  
FOR : AN ISOLATED NUCLEIC ACID ENCODING P-HYDE PROTEIN  
AND METHODS OF INDUCING SUSCEPTIBILITY TO  
INDUCTION OF CELL DEATH IN CANCER

EXAMINER: Kerr, K.

ART UNIT: 1652

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231


**PROPERTY RIGHTS STATEMENT**

I, Mitchell S. Steiner, a citizen of the United States of America, residing at 8894 Silverbark Drive, Germantown, Tennessee 38138, hereby declare that I am one of the named inventors of the subject Application who made and conceived the invention described and claimed in the above-identified Application.

That to the best of my knowledge and belief, the invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract, or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors; Energy Research and Development Administration or the Department of Energy; and/or the invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States code and any such willful false statements and the like may jeopardize the validity of the application or any patent issued thereon.

[Inventor's Signature]  
[Inventor's Name]  
[Inventor's Address]

  
Mitchell S. Steiner  
8894 Silverbark Drive,  
Germantown, Tennessee 38138, USA

April 19, 2001


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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
02/449,817	11/26/99	STEINER	M P-2762-US1

EXAMINER

KERR, K

ART UNIT

PAPER NO.

1652

DATE MAILED:

03/20/01

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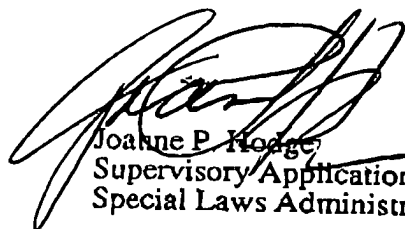
PMS1/0320

### REQUIREMENT FOR STATEMENT UNDER §152 OF THE ATOMIC ENERGY ACT

The subject matter of this application is considered "useful in the production or utilization of special nuclear material or atomic energy."

No patent for any invention "useful in the production or utilization of special nuclear material or atomic energy" may issue unless the applicant files a statement **WITHIN THIRTY DAYS** from request thereof by the Commissioner of Patents & Trademarks setting forth the full facts surrounding the making or conception of the invention described in the application and whether the invention or discovery was made or conceived in the course of or under any contract, subcontract, or arrangement entered into with or for the benefit of the Energy Research and Development Administration or the Department of Energy as required under section 152 of the Atomic Energy Act of 1954, 42 USC §2182.

Applicant is hereby given a period of **THIRTY DAYS** from the mailing date of this letter to file the required statement under 42 USC §2182. Failure to submit the required statement within the thirty day period will result in **ABANDONMENT** of the application. The thirty day period is fixed by §2182 of the Act and cannot be extended. Thus, no extension of this period may be obtained under either 37 CFR §1.136(a) or (b).

  
Joanne P. Hodge  
Supervisory Applications Examiner  
Special Laws Administration

Please direct all written communications regarding this matter to:  
The Commissioner of Patents & Trademarks  
Washington, D.C. 20231  
Attention: Licensing & Review

Please direct all telephone calls regarding this matter to:  
Joyce Brown, 703-308-3350 (703) 306-4191